

**In the United States District Court  
for the Southern District of Georgia  
Maycross Division**

UNITED STATES OF AMERICA

v.

CR 517-012-8

CHRISTOPHER WELLS,

Defendant.

**ORDER**

Before the Court is Defendant Christopher Wells' "appeal of order held in attorney inquiry hearing on November 2, 2020." Dkt. No. 974. The Court **AFFIRMS** the Magistrate Judge's Order.

**BACKGROUND**

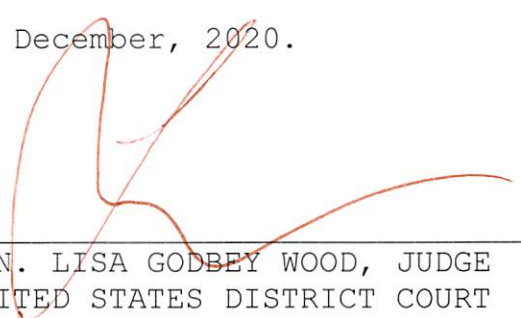
On November 2, 2020, the Magistrate Judge held an attorney inquiry hearing based upon Defendant's motion for withdrawal of counsel. See Dkt. Nos. 940, 967. At the hearing, and in a following written Order, the Magistrate Judge denied Defendant's motion as moot, determining that Defendant's counsel's representation of Defendant had concluded. Dkt. Nos. 967, 968. Defendant now appeals the Magistrate Judge's Order.

**DISCUSSION**

When Wells filed his motion for withdrawal of counsel on September 15, 2020, he had already pleaded guilty to Counts 1 and 45 of the superseding indictment, his sentence had already been

imposed, judgment had been entered, and the time for filing a notice of appeal had passed. The Magistrate Judge ultimately determined that there was "no need to terminate [Defendant's counsel] and to allow Defendant to proceed pro se in this action because [counsel] no longer represents Defendant in this action." Dkt. No. 968 at 2. Defendant having provided no reason for the Court to call into question the Magistrate Judge's Order, and the Court finding none, the Court **AFFIRMS** the denial as moot of Defendant's motion for withdrawal of counsel. To the extent Defendant seeks to pursue claims of ineffective assistance of Counsel, the Court reminds Defendant of the Court's intent to recharacterize his most recent motion for withdrawal of counsel, dkt. no. 972, as a petition for habeas corpus relief under 28 U.S.C. § 2255. See Dkt. No. 973. If Defendant wishes to include the allegations contained in his most recent motion for withdrawal of counsel in his § 2255 petition, he must include those allegations in an amended petition by January 18, 2021.

SO ORDERED, this 8 day of December, 2020.



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HON. LISA GODBEY WOOD, JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA